IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

TUESDAY, THE SEVENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE B. SUDERSHAN REDDY

and
THE HON'BLE MR JUSTICE RAMESH RANGANATHAN

WRIT PETITION NO : 5969 of 2005

Between:

P.Manik Rao, S/o.P.Bheem Sen Rao,
R/o.4-14, Peddamul (Village and Mandal), Ranga Reddy

District.

..... PETITIONER

AND

1. The Secretary, Regional Transport Authority,

Ranga Reddy District.
2 The Motor Vehicles Inspector, Pargi, Ranga Reddy District.

.....RESPONDENTS

Petition under Article 226 of the Constitution of India praying that in the circumstances stated in the affidavit filed herein the High Court may be pleased to issue a writ of Mandamus, or any other appropriate writ, order or direction, declaring the action of the 2nd Respondent in seizing the petitioner vehicle bearing No.AHS-9442, under sec.207 of A.P.M.V.T.Act as arbitrary, illegal and further direct the respondents to release the said vehicle to the petitioner pending enquiry and pass such other order or orders as may deem fit and proper in the circumstances of the case.

for the Petitioner: Mr.P.Venkat Rao, Advocate.

For the Respondents: GP for Transport.

The Court made the following:

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ORDER: (per Sri B. Sudershan Reddy, J)

The action of the 2nd respondent in seizing the petitioner's vehicle bearing No. AHS 9442 purporting it to be under Section 207 of the A.P Motor Vehicles Taxation Act is challenged in this writ petition. It is unnecessary to go into the various contentions raised by the petitioner in this writ petition since the petitioner did not file any application seeking release of the vehicle in terms of the law declared by this Court in ***SALEEM TOURS AND TRAVELS V. JOINT TRANSPORT COMMISSIONER AND SECRETARY, RTA***. No relief could be granted to the petitioner in this writ petition. The Writ Petition is accordingly dismissed.

This order, however, shall not preclude the petitioner from filing an appropriate application before the 2nd respondent in accordance with law, which shall be duly considered by the 2nd respondent and an appropriate order thereon shall be passed within three days from the date of filing of such application by the petitioner.

(B. Sudershan Reddy, J)

07-06-2005

(Ramesh Ranganathan, J)

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To

1. The Secretary, Regional Transport Authority,

Ranga Reddy District.

2 The Motor Vehicles Inspector, Pargi, Ranga Reddy District.

3 Two CCs to the Government Pleader for Transport, High

Court of Andhra Pradesh, Hyderabad.

4 Two CD copies.